



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: September 29, 2022

TIME: 12:17 PM

WSR 22-20-059

Agency: Health Care Authority

Subject of possible rule making: 182-538D-0262 – Behavioral health administrative service organizations and managed care organizations – Behavioral health ombuds office; other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05.021, RCW 41.05.160

Reasons why rules on this subject may be needed and what they might accomplish: The agency is repealing WAC 182-538D-0262, which requires behavioral health administrative agencies to maintain a behavioral health ombuds office for Medicaid managed care enrollees. This service will be replaced by a new statewide ombuds program established under Chapter 71.40 RCW, which takes effect October 1, 2022. During the course of this review, HCA may identify additional related changes that are required in order to improve clarity or update policy.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Health Care Authority and Department of Commerce staff held meetings to discuss the timing of and general content for new behavioral health ombuds rules.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The agency welcomes the public to take part in developing this rule. If interested, contact the person

identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rulemaking (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Melinda Froud (Rulemaking Questions)
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(If necessary)

Name: Annette Schuffenhauer (Program Questions)
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 Other:

Additional comments:

Date: September 29, 2022

Name: Wendy Barcus

Title: HCA Rules Coordinator

Signature: